

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CASE NO.: 1:17-cv-00654

ANDREW TAKANO,

Plaintiff,

v.

SUPER STEAM OF AUSTIN, INC.,

Defendant.

**DECLARATION OF JOEL B. ROTHMAN IN SUPPORT OF
MOTION FOR ENTRY OF CLERK'S DEFAULT**

I, Joel B. Rothman, declare and say:

1. I am an attorney duly licensed to practice before this Court, and I am counsel for Plaintiff ANDREW TAKANO ("Plaintiff") in the above-captioned matter. I make this Declaration, which is filed in support of Plaintiff's Motion for Entry of Clerk's Default, and I could and would testify competently to the matters set forth herein.

2. On July 5, 2017, Plaintiff filed its Complaint against Defendant Super Steam of Austin, Inc. ("Super Steam") [ECF 1].

3. On July 24, 2017, Super Steam was served with the Summons and a copy of the Complaint by personal service, by serving its Registered Agent, David E. Carter, 2210 South 57th Street, Temple, TX 76501. Attached hereto as Exhibit "A" is a true and correct copy of the Affidavit of Service on file with the Court, reflecting that Super Steam was served by personal service with its Summons and a copy of the Complaint.

4. The time allowed for Super Steam to respond to the Complaint has expired.

**SCHNEIDER ROTHMAN INTELLECTUAL PROPERTY LAW GROUP, PLLC
4651 NORTH FEDERAL HIGHWAY
BOCA RATON, FL 33431**

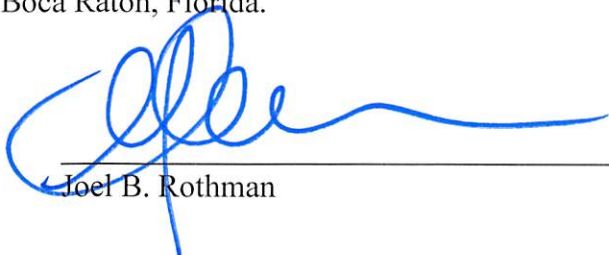
5. Super Steam has not been granted an extension of time to respond to the Complaint.

6. Super Steam has failed to answer or otherwise respond to the Complaint, or serve a copy of its Answer or other response upon Plaintiff's attorneys of record.

7. I am informed and do not believe that Super Steam is an infant or incompetent person, and, upon information and belief, the Servicemembers Civil Relief Act does not apply.

I declare under perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on August 17, 2017 at Boca Raton, Florida.



Joel B. Rothman

Exhibit

A

AO 440 (Rev. 06/12) Summons in a Civil Action

7/6
64

UNITED STATES DISTRICT COURT
for the
WESTERN DISTRICT OF TEXAS

Andrew Takano
Plaintiff(s)

v.

Civil Action No. 1:17-cv-00654

Super Steam of Austin, Inc.
Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Super Steam of Austin, Inc.

Serve: Registered Agent

David E. Carter

2210 South 57th Street

Temple, TX 76501

2174 Pflugerville Rd E
Pflugerville TX 78660

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Joel B. Rothman

Schneider Rothman Intellectual Property Law Group, PLLC

4651 North Federal Highway

Boca Raton, FL 33431

561.404.4350 – Telephone joel.rothman@sriplaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JEANNETTE J. CLACK

CLERK OF COURT

Deanna Massie

Signature of Clerk or Deputy Clerk

Date: July 6, 2017



CTH: 7/14/17 11AM

Majestic Process 1008 North Lakeside Drive, Lake Worth, Florida 33460 561 533-0330

Return of Service

Case No: 1:17 cv 654

Court: United States District, Western Texas

Plaintiff: ANDREW TAKANO

Defendant: SUPER STEAM OF AUSTIN, INC.

Hearing Date: 21 days

Process: Summons, Complaint for Copyright Infringement, Exhibits

For: Joel B Rothman, Esq.

Schneider Rothman IP Law Group, PLLC

TO BE SERVED ON:

SUPER STEAM OF AUSTIN, INC.
c/o Registered Agent David E Carter
2174 Pflugerville E Road, Pflugerville, Texas 78660

Majestic Process received this process on July 6, 2017 at 6:45 p.m.

I, JERRY MELBER, executed service on JULY 24 2017.
at 2:10 ~~am~~/pm.

I delivered a copy of this process in accordance with state statutes in the manner below:

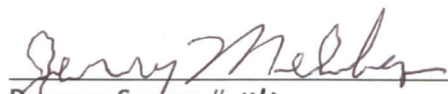
☒ CORPORATE SERVICE: Served DAVID E. CARTER as
REGISTERED AGENT

☐ NON SERVICE: For the reasons in the comments below.

DESCRIPTION: sex MALE age 45 race WHITE height 6'0" weight 175 lbs hair BROWN
eyes BROWN other marks -

COMMENTS:

I certify that I am over the age of 18, have no interest in the above action, and have proper authority in the jurisdiction in which this service was made. Under penalty of perjury, I declare that the facts set forth in the foregoing Return of Service are true and correct.


Process Server # N/A
In Good Standing in the Court
in which this was served